

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEBRA HARRIS,

Plaintiff,

ORDER

v.

06-cv-068-bbc

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Because Judge Shabaz will be convalescing from shoulder surgery for an extended period of time, I have assumed administration of the cases previously assigned to him, including this one. On June 14, 2006, Judge Shabaz granted the parties stipulated motion to remand this case to the commissioner. On November 8, 2006, Judge Shabaz awarded plaintiff attorney fees and costs in the amount of \$5,200.81 under the Equal Access to Justice Act. On April 24, 2008, plaintiff was granted social security benefits as of her alleged onset date, October 31, 2001.

Now plaintiff Debra Harris has filed a motion pursuant to 42 U.S.C. § 406(b) asking this court to approve the payment of attorney fees to her attorney, Dana Duncan, in the amount of \$6,848.19. This amount represents 25 percent of plaintiff's past-due benefits awarded by the Social Security Administration with an off-set of the \$5,200.81 already awarded to counsel. Having considered the motion and supporting materials filed by

plaintiff's attorney, and hearing no objection from plaintiff or defendant, I will grant the motion. The fees requested by Duncan are reasonable in light of the time he spent on this case and the favorable result he obtained for plaintiff.

ORDER

IT IS ORDERED that plaintiff's motion for an order approving an award of attorney fees pursuant to 42 U.S.C. § 406(b) is GRANTED. Plaintiff's attorney, Dana Duncan, is entitled to attorney fees in the amount of \$6,848.19, which represents 25 percent of plaintiff's past-due benefits awarded by the Social Security Administration, less an off-set of \$5,200.81.

Entered this 25th day of November, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge